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5 Lead Counsel for Plaintiffs and
6 Counsel for Plaintiff Robert Berg

7
8 UNITED STATES DISTRICT COURT
9
NORTHERN DISTRICT OF CALIFORNIA
10
SAN JOSE DIVISION

11 IN RE INTUITIVE SURGICAL
12 SHAREHOLDER DERIVATIVE
LITIGATION

13
14 This Document Relates To:

15 ALL ACTIONS.
16

) Lead Case No. 5-14-CV-00515-EJD
)
) DECLARATION OF KATHLEEN A.
) HERKENHOFF IN SUPPORT OF
) ADMINISTRATIVE MOTION FOR ORDER
) ADVANCING DATE FOR CASE
) MANAGEMENT CONFERENCE
)
)

1 I, Kathleen A. Herkenhoff, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the State of
3 California. I am of counsel to The Weiser Law Firm, P.C. (the "Weiser Firm"), Lead Counsel for
4 Plaintiffs and counsel for Plaintiff Robert Berg. I have personal knowledge of the following facts,
5 and if called upon as a witness, I could and would testify competently thereto.

6 2. On April 13, 2015, I spoke to Michael Celio, counsel for all defendants named in the
7 above-captioned action (the "Action"), to advise of the substance of the concurrently filed
8 Administrative Motion for Order Advancing Case Management Conference (the "Motion"). Mr.
9 Celio advised that his clients were not in a position to stipulate to the relief requested in the Motion.
10 Mr. Celio did advise, however, that if the Court were inclined to grant the Motion, he currently is
11 available to attend an earlier Case Management Conference on April 23, April 30 or May 7, 2015.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct to the best of my knowledge.

14 Executed this 13th day of April, 2015 at San Diego, California.

15
16 /s/ Kathleen A. Herkenhoff
17 KATHLEEN A. HERKENHOFF
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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2015, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 13, 2015.

s/ KATHLEEN A. HERKENHOFF
KATHLEEN A. HERKENHOFF

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Mailing Information for a Case 5:14-cv-00515-EJD In re Intuitive Surgical Shareholder Derivative Litigation

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)